



PLANNING COMMISSION WORK SESSION AGENDA

Monday, May 22, 2023 - 6:00 PM

City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Erik Glover, City Recorder at 541.574.0613, or e.glover@newportoregon.gov.

All meetings are live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day. To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER

Bill Branigan, Bob Berman, Jim Hanselman, Gary East, Braulio Escobar, John Updike, Marjorie Blom, Dustin Capri, and Greg Sutton.

2. UNFINISHED BUSINESS

2.A Comments from Thompson Sanitary on Draft Trash Enclosure Amendments.

[Memorandum](#)

[Email from Walter Budzik, Thompson Sanitary, dated 5/19/23](#)

[Draft Amendments to NMC Chapter 14.11](#)

2.B Revisions to Parking Codes to Facilitate Bayfront Metering.

[Memorandum](#)

[Revisions to Chapter 6.15, Parking in Rights-of-Way](#)

[Elimination of Existing Chapter 6.20, Regulating Use of City Parking Lots](#)

[New Chapter 6.20, Metered Parking Zones - Updated.pdf](#)

[Chapter 6.25, Revisions to RV Parking Regulations](#)

[Revisions to Chapter 14.14, Off-Street Parking](#)

[Special Parking Area Map](#)


2.C Planning Commission Work Program Update.

[PC Work Program - 05-19-23](#)

3. NEW BUSINESS

4. ADJOURNMENT

Memorandum

To: Planning Commission/Commission Advisory Committee
From: Derrick I. Tokos, AICP, Community Development Director 
Date: May 19, 2023
Re: Comments from Thompson Sanitary on Draft Trash Enclosure Amendments

Attached is a 5/19/23 email from Walter Budzik with Thompson Sanitary with their thoughts on the proposed amendments. I'll put together options for addressing their concerns for your consideration at the work session. I'll also see if they can have a representative at the meeting. In the meantime, I am reattaching the draft that you reviewed at the last meeting so that you can consider the language and their comments.

Attachments

Email from Walter Budzik, Thompson Sanitary, dated 5/19/23
Draft Amendments to NMC Chapter 14.11

Derrick Tokos

From: Walter Budzik <walter@thompsonsanitary.com>
Sent: Friday, May 19, 2023 10:08 AM
To: Derrick Tokos
Cc: Rob Thompson; Aimee Thompson
Subject: RE: Newport Draft Solid Waste and Recycling Enclosure Standards

[WARNING] This message comes from an external organization. Be careful of embedded links.

Good morning Derrick,

Walter Budzik here, responding to your request below on behalf of Thompson's.

First of all, thank you for your work to get enclosure language added to the City's code! It's great work and we are excited about it. Second, thank you also for letting us be part of the process. This effort will benefit all of us.

Rob, Aimee and I reviewed the changes to NMC 14.11.060 Below are our thoughts.

Section B2. Regarding sufficient space for receptacles...Will there be any language added regarding the size of enclosures? It's important to provide sufficient container volume for the applicant's estimated production of waste and recycling. Page 2 of the Recology Standards is a good example of this, and Seattle's is pretty good too. If we don't want to put specific language in the code for volume calculations, Thompson's would be willing to produce a document that could be provided to building applicants to accompany the building application packet to provide the applicant with good information for this type of estimate.

Section B2. Does the word "recycling" also include compostables? Currently we do not provide compostables collection to commercial or multi-family customers, but this could change in the future.

Both paragraphs B3 and C1 mention a 12 foot width. This is a generous number. We would be fine with 10 feet here.

Concerning the flow of enclosure applications, will Thompson's have the opportunity to review applications? Our first choice would be to have a review and signoff on all applications, like the Recology example. The Redmond example also has some approval language in section E.2.7.e.

Again, thank you for the opportunity to comment! We appreciate the collaborative effort.
 Walter

From: Derrick Tokos <D.Tokos@NewportOregon.gov>
Sent: Friday, May 5, 2023 4:24 PM
To: Aimee Thompson <aimee@thompsonsanitary.com>; Rob Thompson <rob@thompsonsanitary.com>
Subject: Newport Draft Solid Waste and Recycling Enclosure Standards

Hi Aimee and Rob,

Attached is some draft code language that builds upon our discussion with the Planning Commission last November. Please take a look at the changes and let me know your thoughts. There will be another work session on May 22, 2023 where we can ask the Commission to consider additional changes, if needed.

An initial public hearing is tentatively scheduled for June 12, 2023.

Derrick I. Tokos, AICP
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(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strike through~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

CHAPTER 14.11 REQUIRED YARD, ~~AND SETBACKS, AND SOLID~~ **WASTE/RECYCLABLE MATERIALS STORAGE AND ACCESS** **REQUIREMENTS**

14.11.010 Required Yards

A building, or portion thereof, hereafter erected shall not intrude into the required yard listed in Table A of NMC 14.13.020 for the zone indicated.

14.11.020 Required Recreation Areas

All multi-family dwellings, hotels, motels, manufactured dwelling parks, trailer parks, and recreational vehicle parks shall provide for each unit a minimum of 50 square feet of enclosed outdoor area landscaped or improved for recreation purposes exclusive of required yards such as a patio, deck, or terrace.

14.11.030 Garage Setback

The entrance to a garage or carport shall be set back at least 20 feet from the access street for all residential structures.

14.11.040 Yards for Group Buildings

A. In case of group buildings on one lot, parcel, or tract including institutions and dwellings, the yards on the boundary of the lot, parcel, or tract shall not be less than required for one building on one lot or parcel in the district in which the property is located.

B. The distance between group buildings and property lines interior to a tract shall satisfy yard requirements that apply to a lot or parcel in the district in which the property is located, except as provided in NMC 14.11.050(D).

C. In the case of dwelling units rearing on side yards, the required side yards shall be increased two feet in width for each dwelling unit rearing thereon.

D. No court serving a group of dwelling units shall be less than 25 feet in width.

- E. In the R-3 and R-4 zones where multi-family dwelling units are in a continuous row on an interior lot, parcel, or tract rearing on one side yard and fronting upon another side yard, the side yard on which the multi-family dwelling rears shall not be less than eight feet. The side yard on which the multi-family dwelling fronts shall not be less than 18 feet in width.

14.11.050 General Exceptions to Required Yard

- A. Front Yards.* In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of what has been established for the adjoining front yards.
- B. Projections Into Yards. Every part of a required yard shall be open from the ground to the sky, unobstructed except for the following:
 1. Accessory building in the rear yard as provided in Section 14.16.*

(*Sentence amended by Ordinance No. 2011 (2-18-11).)

 2. Ordinary building projections such as cornices, eaves, belt courses, sills, or similar architectural features may project into side yards not more than 12 inches or into front and rear yards not more than 24 inches.
 3. Chimneys may project into any required yard not more than 16 inches.
 4. Uncovered balconies or fire escapes may project into any required yard not more than one foot.
 5. Uncovered terraces may project or extend into a required front yard not more than five feet or into a required side yard not more than one foot or into a required court not more than six feet. The regulations contained in this paragraph shall not apply to paved parking or driveway areas at ground level.
- C. Dwelling Units Above Stores. Yards are not required for dwellings above businesses unless the dwelling area exceeds 50% of the floor area of the business dwelling.

- D. Buildings on a Tract. Required yards shall apply to the boundary of the tract. In cases where a single building or group of buildings do not meet the yard requirements that would apply to property lines interior to the tract were they to be developed as single lots or parcels, a deed restriction, in a form approved by the City, shall be recorded stating that the property upon which the building or buildings is located cannot be sold or otherwise transferred. This restriction shall remain in effect until the interior property lines are eliminated or yard requirements that would apply to the property as a single lot or parcel are met.

14.11.060 Solid Waste and Recyclable Enclosure and Access Requirements

- A. Applicability. The standards in this subsection shall apply to the construction of new multi-family, commercial, institutional, and industrial buildings, unless an alternative approach is approved in writing by the solid waste and recycling service provider.
- B. Enclosure Requirements. Solid waste and recycling receptacles stored outside shall be situated within one or more enclosures that satisfy the following requirements:
1. Receptacles must be shielded from public view by a minimum 6-foot high solid fence or wall unless the receptacle(s) exceed 6-feet in height, in which case the fence or wall shall be at least 6-inches taller than the receptacle(s).
 2. The enclosed area shall contain sufficient space to accommodate both solid waste and recycling receptacles, with at least two (2) feet of clearance around drop boxes and compactors.
 3. Gate openings for drop box or compactors must be a minimum of 12-feet in width. Gates for enclosures containing only carts or tubs may be a minimum of four (4) feet in width. For multi-family and mixed use developments, enclosures for drop boxes or compactors shall include a separate pedestrian gate that is at least three (3) feet in width.
 4. Enclosures for drop boxes and compactors shall be located on a level concrete pad that is a minimum of six

(6) inches in thickness, and shall be placed at least five (5) feet from a combustible wall, opening, or combustible roof eave.

C. Access Standards

1. Vehicle access to the front of a drop box or compactor pad shall be at least 50- feet in length and 12-feet in width with a minimum of 18-feet of vertical clearance (23-feet above the enclosure itself).
2. At least one accessible pedestrian route shall be provided between an accessible building and the enclosure to ensure adequate access for disabled persons. Such route shall conform to design standards listed in the Oregon Structural Specialty Code.
3. Enclosures shall be located within 150-feet of the entrance to the accessible building(s) that they serve as measured along the accessible path of travel.

Staff: The above standards borrow from the concepts discussed at the Planning Commission's November 28, 2022 work session. While there are many design aspects that could be addressed, these jumped out as a baseline that the City should ensure are picked up when reviewing the construction of new multi-family, commercial, institutional and industrial buildings. Others can be included in guidelines or quick reference materials. In November, you had a chance to review the Recology Western Oregon Guidelines provided by Thompson Sanitary and a set of policies from Oregon City. Attached with this draft is a set of guidelines from the City of Ventura and a one page quick reference provided by the City of Boise. The draft standards above also address ADA accessible path requirements, with the 150-foot distance between the entrance to an accessible building and an enclosure mirroring a provision in the Ventura guidelines. If a building is required to be accessible, then an accessible path is required to the enclosure. This is addressed in the attached HUD FAQ and it applies to commercial development as well (with a few exceptions). Had the 150-foot requirement been in place for Surfview, then they would have been required to provide more than one enclosure. This was the principal concern that Thompsons had, which is that the single enclosure in the complex is not reasonably convenient to residents, leading to problematic behavior.

Memorandum

To: Planning Commission / Commission Advisory Committee
From: Derrick I. Tokos, AICP, Community Development Director
Date: May 19, 2023
Re: Revisions to Parking Codes to Facilitate Bayfront Metering

Attached is a package of draft code changes needed to facilitate installation of parking meters along the Bayfront. Changes to 6.15, 6.20, and 6.25 are being provided for context, as they don't require Planning Commission approval. They will be presented to the Parking Advisory Committee at its June meeting and are still very much working drafts. Chapters 6.15 and 6.20 regulate parking in rights-of-way and public lots. They are being merged into Chapter 6.15, with a new Chapter 6.20 containing the metering code. Revisions to NMC Chapter 14.14 will need to be formally considered by the Planning Commission. The Parking advisory Committee had a chance to review changes to special area parking standards (i.e. standards that apply to Bayfront, City Center, and Nye Beach) at its May meeting. I have expanded it a bit to include additional revisions, including clarification of the "old use" credit that was a point of ambiguity with the Abbey Hotel land use application. A map of the special parking area boundaries is also enclosed.

Your feedback is welcome on all of the proposed changes; however, it is particularly important with regards to the revisions to NMC Chapter 14.14. Coming out of this work session, my plan is to bring the Chapter 14.14 provisions back, with requested changes, for a final round of review on July 10. That is the date we need to get the formal adoption process started in order to get an ordinance in place and effective in October (when we plan to implement metering).

I look forward to our discussion on Monday!

Attachments

Revisions to Chapter 6.15, Parking in Rights-of-Way
Elimination of Existing Chapter 6.20, Regulating Use of City Parking Lots
New Chapter 6.20, Metered Parking Zones
Chapter 6.25, Revisions to RV Parking Regulations
Revisions to Chapter 14.14, Off-Street Parking
Special Parking Area Map

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CHAPTER 6.15 PARKING IN RIGHTS OF WAY AND CITY OWNED PARKING LOTS

6.15.005 Method of Parking

- A. Parking is permitted only parallel with the edge of the street, headed in the direction of lawful traffic movement, except where the street is marked or signed for angle parking. Where parking spaces are marked, vehicles shall be parked within the marked spaces. Parking in angled spaces shall be with the front head-in to the curb, except that vehicles delivering or picking up goods may be backed in. Where curbs exist the wheels of a parallel-parked car shall be within 12 inches of the curb, and the front of an angle-parked car shall be within 6 inches of the curb.
- B. If possible, parked cars shall be removed by their owners in the event of an emergency such as a fire.

6.15.010 Parking of Oversized Vehicles

Any vehicle which, because of its size or shape, cannot be parked as provided by [Section 6.15.005](#) may be parked outside the restricted or limited parking area of the city in a manner which will not impede or interfere with vehicular traffic. No vehicle may be parked to impede or interfere with a vehicle travel lane.

6.15.015 Prohibited Parking

- A. No person shall park a vehicle:
 - 1. On a bridge, viaduct or other elevated structure used as a street, unless permitted by authorized signs.
 - 2. Obstructing a street so as to prevent or interfere with orderly two-way traffic.
 - 3. In any alley except to load or unload persons or materials not to exceed 30 minutes, and then only in such a manner as to leave available space for another vehicle to pass the parked vehicle;

4. On a street for the principal purpose of:
 - a. Displaying the vehicle for sale.
 - b. Greasing or repairing the vehicle, except repairs necessitated by an emergency.
 - c. Displaying a sign from the vehicle.
 - d. Selling merchandise from the vehicle except in a duly established market place or when so authorized or licensed under the ordinances of the city.
 - e. Storage in a street right-of-way for more than 72 consecutive hours. Storage includes any parking in excess of 72 consecutive hours.

5. In a manner contrary to any sign posted regulating parking in a city-owned parking lot, and in no circumstances for more than 16 hours in a city-owned parking lot unless authorized for camping, pursuant to Chapter 9.50 or as a Special Event pursuant to Chapter 9.80.

56. And leave the vehicle without stopping the engine and effectively setting the brake. Police officers are authorized to turn off any vehicles left running and unattended and remove the key. The officer shall leave information as to how to claim the key.

67. In a location or at times where parking is prohibited as indicated by authorized signs or curb markings.

- B. No person shall park a truck other than a pick-up on a street at any time between the hours of 9:00 P.M. and 7:00 A.M. in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation.
- C. No person shall park a vehicle between 11:00 P.M. and 75:00 A.M. leaving any audible auxiliary motor or engine running. For purposes of this section, “audible” means audible to humans in any public right of way or on any private residential property other than private property where the vehicle is parked with the permission of the owner, and “running” means either continuously or

intermittently running, whether controlled by a thermostat, timer, or other means.

- D. Parking is prohibited ~~in streets~~ immediately adjacent to yellow-marked curbs. Parking or stopping is prohibited in streets or other public areas immediately adjacent to red-marked curbs. The above prohibitions apply unless parking or stopping is necessary to comply with traffic signs and signals, or if traffic does not permit continued movement. No other sign or wording is needed to make the prohibitions effective. The prohibitions established by this section apply if the yellow or red markings are visible, even though faded or partially obliterated. Public areas include private property designated or required as a fire lane. Curbs may be painted red on public or private property only to indicate a fire lane or other area where parking and stopping is prohibited.
- E. No person may park a vehicle in a handicapped parking space without a handicapped license or permit properly displayed on or in the vehicle.

Staff: Changes merge in relevant information from existing Chapter 6.20.

6.15.020 Removal of Illegally Parked Vehicles

- A. The city may remove any illegally parked vehicle that is unattended or that is not removed after a request is made to the owner or person in charge of the vehicle, in compliance with state and city law regulating towing of vehicles by the city.
- B. The city shall not remove any vehicles that were originally legally parked unless the vehicle has remained illegally parked for a period three times longer than the time originally allowed for the vehicle to be parked, unless removal is needed in case of an emergency or to allow the orderly movement of traffic, or the vehicle has been parked for more than 72 hours.

6.15.025 Loading Zone

No person shall stop, stand, or park a vehicle in a loading zone other than to (i.) load or unload materials; or (ii.) service machinery or equipment.

- A. Stopping, standing, or parking a vehicle in a loading zone for the purpose of loading and unloading shall be only for the amount of time reasonably necessary to load and unload the vehicle and perform tasks ancillary to the loading and unloading, and the total time parked shall not exceed 30 minutes.
- B. Any person using a loading zone for parking while servicing machinery or equipment must first obtain a permit from the Newport Police Department authorizing the vehicle to park in a loading zone for a period greater than 30 minutes. The permit must be displayed in the windshield of the vehicle while parked in a loading zone. Permits may be issued on a yearly, monthly, weekly, or daily basis. The fee for the permit shall be set by City Council resolution. Pending a fee resolution, the annual fee shall be \$50.00.

6.15.030 Passenger Loading Zone

No person shall stop, stand, or park a vehicle in a passenger loading zone other than to load and unload passengers. The maximum time to be stopped or parked in a passenger loading zone is five minutes, unless actual loading and unloading requires additional time.

6.15.035 Buses and Taxis

No person may park or stand a bus or taxi on any street in any business district at any place other than at a bus stand or taxicab stand, respectively. This section does not prohibit the driver of any taxi from temporarily stopping for the purpose of loading or unloading of passengers.

6.15.040 Restricted Use of Bus and Taxicab Stands

No person shall stop, stand or park a vehicle other than a bus in a bus stand or other than a taxicab in a taxicab stand, except that the driver of a passenger vehicle may temporarily stop therein while actually engaged in loading or unloading passengers when the stopping does not interfere with any bus or taxi.

6.15.045 Parking Time Limited in Certain Areas

When signs are erected in any block, or within any public parking lot, limiting permissible parking time, no person shall

park a vehicle within the block, or parking lot, for longer than the time posted on the sign. Movement of a vehicle to a parking space on either side of the same street within the area between the intersections at each end of the block shall not extend the time limits for parking. Movement of a vehicle to another parking space within the same parking lot shall not extend the time limits for parking. After a vehicle has been moved from the posted block, or parking lot, for more than one hour, a new time limitation shall apply.

6.15.050 Parking Permits

The City Manager may put in place a program for issuing parking permits to reserve public right-of-way areas or parking lots for use by designated parties. Parking permits may apply in timed parking areas, or elsewhere depending upon the specifications of the permit.

- A. Parking permits may be obtained electronically or in hardcopy form. A hardcopy permit are is to be displayed on a vehicle in the manner specified on the permit, and shall include a description of the authorized activity, license number of the benefited vehicle, and the date or dates within which the permit is effective.
- B. Permit holders and permitted vehicles are subject to all traffic laws and regulations not explicitly superseded by the permit.

Staff: Changes provide an electronic permitting option.

6.15.055 Exemptions

- A. City and public utility vehicles are exempt from this chapter while in use for construction or repair work or other authorized use.
- B. Mail delivery vehicles are exempt from this chapter while in use for the collection, transportation, or delivery of United States mail.

6.15.060 Owner Responsibility

The owner of a vehicle parked in violation of a parking restriction shall be responsible for the violation, except where the use of the vehicle was secured by the operator without the owner's consent. Nothing in this section prevents an owner

from recovering the cost of any penalty from the driver or other person responsible for the illegal parking.

6.15.070 Citation on Illegally Parked Vehicle

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this Chapter, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a traffic citation for the operator to answer to the charge against the owner, or pay the penalty imposed within seven days during the hours and at the place specified on the citation.

6.15.080 Registered Owner Presumption

In the prosecution of a vehicle owner, charging violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a disputable presumption that the registered owner was then the owner in fact.

6.15.090 Failure to Comply with Traffic Citation Attached to a Parked Vehicle

If the operator does not respond to a traffic citation affixed to such vehicle within a period of ten days, the Municipal Court may send to the registered owner of the vehicle, to which the traffic citation was affixed, a letter informing them of the violation and warning them that, any fine associated with the traffic citation is subject to an increase based on the number of days the traffic citation remains unpaid, and based on the city's master fee schedule set by Council resolution.

6.15.100 Penalty

Penalties for violation of this Chapter are set by Council resolution and contained in the city's master fee schedule. Penalties assessed in a traffic citation for a violation of the provisions of this Chapter shall be imposed unless the Municipal Court finds reasonable grounds exist for either increasing or reducing the penalties.

(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strike through~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

~~CHAPTER 6.20 — CITY PARKING LOTS~~

~~6.20.005 — Parking in City-Owned Parking Lots~~

~~Vehicles may park in marked spaces in city-owned parking lots, subject to compliance with authorized signs limiting the allowable time for parking in the city-owned parking lot. The maximum amount of time a vehicle shall be parked in a city-owned parking lot is 16 hours. Vehicles parking in city-owned parking lots in violation of the posted time limits, or other posted regulations, may be towed, subject to the same restrictions applicable to towing of vehicles from private parking lots.~~

~~6.20.010 — Parking Lots — Publicly Owned/Operated~~

~~No vehicle may be parking in a parking lot owned or operated by a governmental entity contrary to the regulations of the parking lot operator or contrary to any sign posted regulating parking in the parking lot. Vehicles parked in violation of this section may be towed, subject to the same restrictions applicable to towing vehicles from private parking lots.~~

Staff: Delete chapter in its entirety. Relevant language is incorporated into Chapter 6.15.

(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strike through~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

CHAPTER 6.20 METERED PARKING ZONES

6.20.005 Purpose

Parking meters are authorized by the City of Newport as a means to increase vehicle turnover in parking spaces, to encourage short-term parking in the metered area, and to improve safety in the public right-of-way.

6.20.010 Parking Meter Zone Designated

The public areas, streets or portions of such streets within a special area defined in Section 14.14.100 that have been designated by the City Council for placement of parking meters shall be considered parking meter zones.

6.20.015 Installation, Function, and Maintenance of Parking Meters

The City Manager will be responsible for the regulation, control, operation, maintenance and use of parking meters, including the establishment of areas within a meter zone where fees are applicable.

6.20.020 Enforcement of Metered Parking Spaces

A. Parking meters are in effect during all hours indicated on the meter and/or sign.

B. All vehicles must adhere to parking meter regulations while stopped or parked in an officially designated metered parking space unless obeying the direction of an authorized officer or unless authorized for specific actions by a vehicle or parking permit.

C. Emergency vehicles may stop or park in any metered space at any time while serving an emergency.

D. It is unlawful to store nonvehicular property in a metered parking space. Any nonvehicular property stored in a metered parking space is a nuisance and may be summarily abated.

6.20.025 Compliance with Time Limit Required

- A. It is unlawful for any person to park any vehicle in any metered parking space during the hours of operation of the meter without paying the parking meter or parking permit fee, or to allow any vehicle in their control or custody to remain in any parking meter space longer than the time designated time limit.
- B. Upon expiration of the designated time limit indicated by the parking meter or parking permit, a citation may be issued if a vehicle remains parked or stopped within the same fee area.
- C. A vehicle may not be parked in any space with a broken or "out of order" meter for a period of time longer than the time limit indicated on the meter. Payment or a valid receipt is required at all spaces regardless of whether the closest device is functioning.

6.20.030 Payment of Meter Fees

A sign or legend which indicates the interval of time for which parking is permitted and the fee payable for the time interval must be posted in all meter areas. The parking meter fee must be paid with U.S. coins, payment card or any other authorized payment method by the person within the vehicle, except:

- A. During all the days and the hours that a meter fee is not required.
- B. Any government vehicle, so identified by public registration plates, may park without meter fee for the maximum time limit allowable at any metered parking space.
- C. A vehicle with a current parking permit authorizing parking at a meter without payment of the meter fee.
- D. A vehicle, for the sole purpose of loading/unloading passengers, for a period not to exceed 30 seconds.

6.20.035 Obstruction of Meters

No vehicle or other property may obstruct access to a parking meter in a manner which prevents deposit of coins in the meter, visibility of the meter instructions or time limit, or visibility of any signs mounted on the meter pipe. A vehicle or

other property in violation of this section is hereby declared to be a nuisance and is subject to summary abatement.

6.20.040 Vandalism, Theft, Invalid Receipts

A. It is unlawful for any person to deface, injure, tamper with, willfully break, destroy, or impair the usefulness of any parking meter installed in public streets, public places, or elsewhere in the City, or to open or remove the same without lawful authority.

B. It is unlawful for any person without lawful authority to remove any coin box or the money content of such coin box or the contents of any parking meter or part thereof.

C. It is unlawful for any person to knowingly manufacture, duplicate, possess, or use any tool, key, implement or device designed to force, break, unlock, or otherwise gain entry to any parking meter maintained by the City unless authorized to do so by the City Manager.

D. Injury to or theft from each meter as described in Subsection A and possession of each item described in Subsections B and C is a separate offense. For each such offense, in addition to the penalties otherwise provided in this Code, a court may order restitution to the City of the damages incurred for repair or re-keying parking meters as a result of injury to the meters or the use or possession of the items described in Subsection C.

E. It is unlawful for any person to duplicate, copy, use or otherwise falsify a parking payment receipt.

F. It is unlawful for any person to damage, deface, or remove a space reservation device.

6.20.045 Unintentional Violation Due to Meter Failure

Any unintentional violation of a provision of this chapter by reason of a mechanical failure of a parking meter is not an offense within the meaning of this chapter once the mechanical failure is verified by the City or where there is a hood covering the meter that states "out of order."

6.20.050 Applicability of Meters to Accessible Parking Spaces

- A. Vehicles with an official state-issued disabled person registration plate, placard, permit or decal, must adhere to all applicable parking meter regulations.
- B. Vehicle with an official state-issued "Wheelchair User" plate, placard, permit or decal, may park without a fee, provided the length of stay adheres to the storage limitations of Section 6.15.015.

6.20.055 Courtesy Permits

The City Manager may issue courtesy permits valid for a period not to exceed seven (7) days, authorizing the permittee to park a vehicle without regard to time limits and without having to pay the meter fees in any parking space. Such courtesy permits are limited to the following:

- A. Construction permit issued to a person(s) performing work within a public parking lot or right-of-way under the terms of a right-of-way permit issued pursuant to Chapter 9.10.
- B. Vehicles associated with a special event permit authorized pursuant to Chapter 9.80 where the specifically identifies affected parking spaces.

6.20.060 Meter Collection Duty

It shall be the duty of the City Manager to direct the collection of all coins deposited in parking meters.

6.20.065 Disposition of Meter Proceeds

Parking meter proceeds will be deposited in the City of Newport Parking Fund to provide for maintenance and improvement of parking areas and for the proper regulation, control and inspection of traffic upon the public streets and lots within parking special areas as defined in Chapter 14.14.100. This includes covering the cost of supervising, regulating and inspecting the parking of vehicles as provided for in this chapter, the cost of placing and maintaining lines or markings designating parking spaces and expenses associated with the installation, operation, maintenance, control and use of the parking meters installed under this chapter and other related expenses.

6.20.070 Establishment of Fees and Maximum Time Limits

Parking meter fees and maximum time limits shall be established by resolution of the City Council.

Staff: This initial draft draws from codes adopted by the [Hood River](#), [Corvallis](#), and [Portland](#). The language will be vetted with the Parking Advisory Committee at its next meeting and is subject to change.

DRAFT

(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strike through~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

CHAPTER 6.25 RECREATIONAL VEHICLE PARKING

6.25.005 Definitions

Public Or Private Parking Lot means a parking lot that is open to the general public for parking, whether for a fee or not. Parking lot does not include areas reserved for owners or tenants of a property.

Recreational Vehicle or RV means a vehicle with or without motive power that is designed for use as temporary living quarters and as further defined by the Oregon Department of Transportation in OAR Chapter 735, Division 022. Examples include motor homes, camping trailers, tent trailers, truck campers and camper vans.

6.25.010 Parking of Recreational Vehicles

- A. Recreational vehicles may not be parked and occupied in the right-of-way or on any public or private parking lot between the hours of 11:00 P.M. and 5:00 A.M., except in areas where camping is permitted as identified in Section 9.50.050 or as part of a Special Event Permit approved pursuant to Chapter 9.80.

Staff: Since this chapter applies to both public and private parking areas, it is not being merged into the other parking related amendments.

(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strike through~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

CHAPTER 14.14 PARKING AND LOADING REQUIREMENTS

14.14.010 Purpose

The purpose of this section is to establish off-street parking and loading requirements, access standards, development standards for off-street parking lots, and to formulate special parking areas for specific areas of the City of Newport. It is also the purpose of this section to implement the Comprehensive Plan, enhance property values, and preserve the health, safety, and welfare of citizens of the City of Newport.

14.14.020 Definitions

For purposes of this section, the following definitions shall apply:

Access. The point of ingress and egress from a public street to an off-street parking lot or loading and unloading area.

Aisle. Lanes providing access to a parking space.

Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Loading Space. A parking space for the loading and unloading of vehicles over 30 feet in length.

Parking Space. An area for the parking of a vehicle.

Site Plan. A map showing the layout of the building, parking, landscaping, setbacks, and any other pertinent information concerning the development of a site.

Use. Any new building, change of occupancy, or addition to an existing building.

14.14.030 Number of Parking Spaces Required

A. Off-street parking shall be provided and maintained as set forth in this section. Such off-street parking spaces shall

be provided prior to issuance of a final building inspection, certificate of occupancy for a building, or occupancy, whichever occurs first.

B. For any expansion, reconstruction, or change of use, the entire development shall satisfy the requirements of [Section 14.14.050](#), Accessible Parking. Otherwise, for building expansions the additional required parking and access improvements shall be based on the expansion only and for reconstruction or change of type of use, credit shall be given to the old use so that the required parking shall be based on the increase of the new use. For the purpose of this section “old use” is any use or structure on a property within the last 10 years.

C. Any use requiring any fraction of a space shall provide the entire space. In the case of mixed uses such as a restaurant or gift shop in a hotel, the total requirement shall be the sum of the requirements for the uses computed separately.

D. Required parking shall be available for the parking of operable automobiles of residents, customers, or employees, and shall not be used for the storage of vehicles or materials or for the sale of merchandise.

E. A site plan, drawn to scale, shall accompany a request for a land use or building permit. Such plan shall demonstrate how the parking requirements required by this section are met.

F. Parking shall be required at the following rate. All calculations shall be based on gross floor area unless otherwise stated.

1.	General Office	1 space/600 sf
2.	Post Office	1 space/250 sf
3.	General Retail (e.g. shopping centers, apparel stores, discount stores, grocery stores, video arcade, etc.)	1 space/300 sf
4.	Bulk Retail (e.g. hardware, garden center, car sales, tire stores, wholesale market, furniture stores, etc.)	1 space/600 sf
5.	Building Materials and Lumber Store	1 space/1,000 sf
6.	Nursery – Wholesale Building	1 space/2,000 sf 1 space/1,000 sf
7.	Eating and Drinking Establishments	1 space/150 sf
8.	Service Station	1 space/pump

May 19, 2023 Draft Amendments to NMC Chapter 14.14, Parking and Loading Requirements

9.	Service Station with Convenience Store	1 space/pump + 1 space/ 200 sf of store space
10.	Car Wash	1 space/washing module + 2 spaces
11.	Bank	1 space/300 sf
12.	Waterport/Marine Terminal	20 spaces/berth
13.	General Aviation Airport	1 space/hangar + 1 space/300 sf of terminal
14.	Truck Terminal	1 space/berth
15.	Industrial	1.5 spaces/ <u>1,000 sf</u>
16.	Industrial Park	1.5 spaces/5,000 sf
17.	Warehouse	1 space/2,000 sf
18.	Mini-Warehouse	1 space/10 storage units
19.	Single-Family Detached Residence	2 spaces/dwelling
20.	Duplex	1 space/dwelling
21.	Apartment	1 space/unit for first four units + 1.5 spaces/unit for each Additional unit
22.	Condominium (Residential)	1.5 spaces/unit
23.	Townhouse	1.5 spaces/unit
24.	Cottage Cluster	1 space/unit
25.	Elderly Housing Project	0.8 space/unit if over 16 dwelling units
26.	Congregate Care/Nursing Home	1 space/1,000 sq. ft.
27.	Hotel/Motel	1 space/room + 1 space for the manager (if the hotel/motel contains other uses, the other uses Shall be calculated separately
28.	Park	2 spaces/acre
29.	Athletic Field	20 spaces/acre
30.	Recreational Vehicle Park	1 space/RV space + 1 space/10 RV spaces
31.	Marina	1 space/5 slips or berths
32.	Golf Course	4 spaces/hole
33.	Theater	1 space/4 seats
34.	Bowling alley	4 spaces/alley
35.	Elementary/Middle School	1.6 spaces/classroom
36.	High School	4.5 spaces/classroom
37.	Community College	10 spaces/classroom

May 19, 2023 Draft Amendments to NMC Chapter 14.14, Parking and Loading Requirements

38.	Religious/Fraternal Organization	1 space/4 seats in the main auditorium
39.	Day Care Facility	1 space/4 persons of license occupancy
40.	Hospital	1 space/bed
41.	Assembly Occupancy	1 space/8 occupants (based on 1 occupant/15 sf of exposition/meeting/assembly room conference use not elsewhere specified

Staff: Section 14.14.030 has been broken up into distinct regulatory concepts. The language requiring that “for reconstruction or change of type of use, credit be given to the old use so that the required parking shall be based on the increase of the new use” is silent about whether or not a use that has ceased operation counts as an “old use.” Clarifying language is being added indicating that, for the purpose of this section, “old use” is any use or structure on a property within the last 10 years. That aligns with the period of time an individual can claim System Development Charge Credits for a prior use (NMC 12.15.065). A typo is being corrected for the Industrial use parking ratio.

14.14.040 Parking Requirements for Uses Not Specified

The parking space requirements of buildings and uses not set forth above shall be determined by the Planning Director or designate. Such determination shall be based upon requirements for the most comparable building or use specified in [Section 14.14.030](#) or a separate parking demand analysis prepared by the applicant and subject to a Type I decision making procedure as provided in [Section 14.52](#), Procedural Requirements.

14.14.050 Accessible and Electric Vehicle Parking

Parking areas shall meet all applicable accessible parking and electric vehicle charging infrastructure requirements of the Oregon Structural Specialty Code to ensure adequate access for disabled persons, and sufficient electric vehicle parking infrastructure for future users.

14.14.060 Compact Spaces

For parking lots of five vehicles or more, 40% of the spaces may be compact spaces measuring 7.5 feet wide by 15 feet long. Each compact space must be marked with the word "Compact" in letters that are at least six inches high.

14.14.070 Bicycle Parking

Bicycle parking facilities shall be provided as part of new multi-family residential developments of five units or more; new retail, office, and institutional developments; and park-and-ride lots and transit transfer stations.

- A. The required minimum number of bicycle parking spaces is as follows, rounding up to the nearest whole number:

Parking Spaces Required	Bike Spaces Required
1 to 4 ^a	1
5 to 25	1
26 to 50	2
51 to 100	3
Over 100	1/25

a. Residential developments less than 5 units are exempt from bicycle parking requirements.

- B. Bicycle parking for multiple uses (such as commercial shopping centers) may be clustered in one or several locations but must meet all other requirements for bicycle parking.
- C. Each required bicycle parking space shall be at least two and a half by six feet. An access aisle at least five feet wide shall be provided and maintained beside or between each row of bicycle parking.
- D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (e.g., a "rack") upon which a bicycle can be locked.
- E. Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only.

14.14.080 Shared Parking

The off-street parking requirements of two or more uses, structures, or parcels may be satisfied by the same parking lot or loading spaces used jointly to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their parking needs do not overlap. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.

14.14.090 Parking Lot Standards

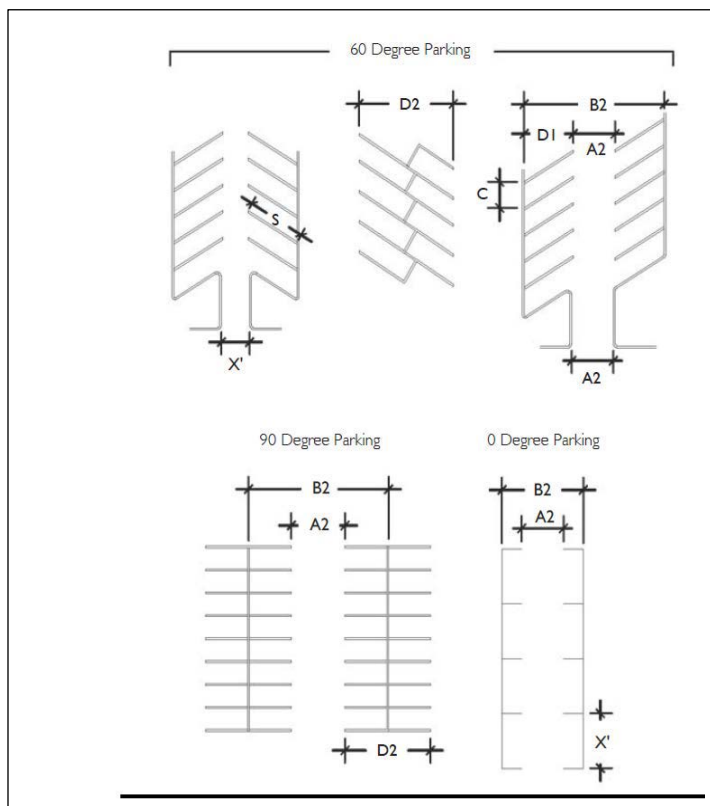
Parking lots shall comply with the following:

- A. Parking Lot Minimum Standards. Parking lots shall be designed pursuant to the minimum dimensions provided in Table 14.14.090-A and Figure 14.14.090-A.

Table 14.14.090-A. Parking Lot Minimum Dimensions for Standard Space

<u>PARKING</u> <u>ANGLE</u> <u>≤ °</u>	<u>CURB</u> <u>LENGTH</u>	<u>STALL DEPTH</u>		<u> AISLE WIDTH</u>		<u> BAY WIDTH</u>		<u>STRIPE</u> <u>LENGTH</u>
		<u>SINGLE</u> <u>D1</u>	<u>DOUBLE</u> <u>D2</u>	<u>ONE</u> <u>WAY</u> <u>A1</u>	<u>TWO</u> <u>WAY</u> <u>A2</u>	<u>ONE</u> <u>WAY</u> <u>B1</u>	<u>TWO</u> <u>WAY</u> <u>B2</u>	
<u>90°</u>	<u>8'-6"</u>	<u>18'</u>	<u>36'</u>	<u>23'</u>	<u>23'</u>	<u>59'</u>	<u>59'</u>	<u>18'</u>
<u>60°</u>	<u>10'</u>	<u>20'</u>	<u>40'</u>	<u>17'</u>	<u>18'</u>	<u>57'</u>	<u>58'</u>	<u>23'</u>
<u>45°</u>	<u>12'</u>	<u>18'-6"</u>	<u>37'</u>	<u>13'</u>	<u>18'</u>	<u>50'</u>	<u>55'</u>	<u>26'-6"</u>
<u>30°</u>	<u>17'</u>	<u>16'-6"</u>	<u>33'</u>	<u>12'</u>	<u>18'</u>	<u>45'</u>	<u>51'</u>	<u>32'-8"</u>
<u>0°</u>	<u>22'</u>	<u>8'-6"</u>	<u>17'</u>	<u>12'</u>	<u>18'</u>	<u>29'</u>	<u>35'</u>	<u>8'-6"</u>

Figure 14.14.090-A. Parking Lot Minimum Dimensions



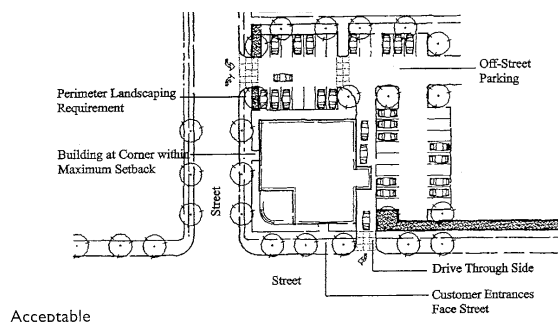
B. Surfacing.

1. All parking lots that are required to have more than five parking spaces shall be graded and surfaced with asphalt or concrete. Other material that will provide equivalent protection against potholes, erosion, and dust may be approved by the City Engineer if an equivalent level of stability is achieved.
2. Parking lots having less than five parking spaces are not required to have the type of surface material specified in subsection (1), above. However, such parking lot shall be graded and surfaced with crushed rock, gravel, or other suitable material as approved by the City Engineer. The perimeter of such parking lot shall be defined by brick, stones, railroad ties, or other such similar devices. Whenever such a parking lot abuts a paved street, the driveway leading from such street to the parking lot shall be paved with concrete from the street to the property line of the parking lot.

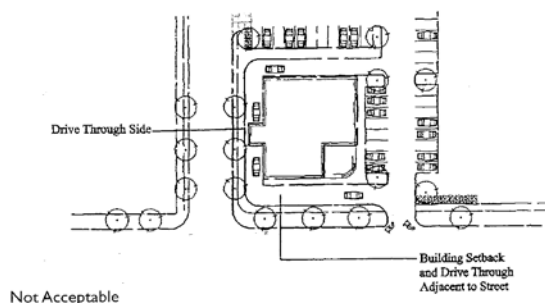
3. Parking spaces in areas surfaced in accordance with subsection (1) shall be appropriately demarcated with painted lines or other markings.
- C. Joint Use of Required Parking Spaces. One parking lot may contain required spaces for several different uses, but the required spaces assigned to one use may not be credited to any other use.
- D. Satellite Parking.
1. If the number of off-street parking spaces required by this chapter cannot be provided on the same lot where the principal use is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to as satellite parking spaces.
 2. All such satellite parking spaces shall be located within 200 feet of the principal building or lot associated with such parking.
 3. The applicant wishing to take advantage of the provisions of this section must present satisfactory written evidence that the permission of the owner or other person in charge of the satellite parking spaces to use such spaces has been obtained. The applicant must also sign an acknowledgement that the continuing validity of the use depends upon the continued ability to provide the requisite number of parking spaces.
 4. Satellite parking spaces allowed in accordance with this subsection shall meet all the requirements contained in this section.
- E. Lighting. Lighting from parking lots shall be so designed and located as to not glare onto neighboring residential properties. Such lighting shall be screened, shaded, or designed in such a way as to comply with the requirement contained in this section. This section is not intended to apply to public street lighting or to outdoor recreational uses such as ball fields, playing fields, and tennis courts.

- F. Drive-Up/Drive-In/Drive-Through Uses and Facilities. Drive-up or drive-through uses and facilities shall conform to the following standards, which are intended to calm traffic, and protect pedestrian comfort and safety (Figures 1 and 2).

Figure 1 – Drive-Up and Drive-Through Facilities



1. The drive-up/drive through facility shall orient to an alley, driveway, or interior parking area, and not a street; and
2. None of the drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner); and



3. Drive-up/in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.
- G. Driveway Standards. Driveways shall conform to the requirements of Chapter 14.46.
- H. Landscaping and Screening. Parking lot landscaping and screening standards must comply with Section 14.19.050.
- I. Preferential Carpool/Vanpool Parking. Parking areas that have designated employee parking and more than 20 vehicle parking spaces shall provide at least 10% of the employee parking spaces, as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance

of the building than other parking spaces, with the exception of ADA accessible parking spaces.

14.14.100 Special Area Parking Requirements

A. The boundary of the ~~These~~ special areas are defined as follows:

- A1. Nye Beach. That area bounded by SW 2nd Street, NW 12th Street, NW and SW Hurbert Street, and the Pacific Ocean.
- B2. Bayfront. That area bounded by Yaquina Bay and the following streets: SE Moore Drive, SE 5th and SE 13th, SW 13th Street, SW Canyon Way, SW 10th, SW Alder, SW 12th, SW Fall, SW 13th, and SW Bay.
- ~~G3.~~ City Center. That area bounded by SW Fall Street, SW 7th Street, SW Neff Street, SW Alder Street, SW 2nd Street, SW Nye Street, Olive Street, SE Benton Street, SW 10th Street, SW Angle Street, SW 11th Street, SW Hurbert Street, and SW 10th Street.

Options for Addressing Parking Study Comprehensive Plan Implementation Measure 3.2.3, reducing or eliminating minimum off-street parking requirements for new development or redevelopment in metered and meter/permit zones.

B.1. Uses within a special area are not required to provide the ~~off-street~~ parking required in this section if ~~a parking district authorized by the City Council is formed the City requires payment for the use of public parking~~ in all or part of the special area. ~~In such circumstances, off-street parking shall be provided as specified by the parking district.~~

Staff: This option eliminates off-street parking requirements in areas where metering and/or paid parking requirements have been put in place. Any new off-street parking would be provided at the discretion of the developer. This approach is in line with what a number of jurisdictions have done where demand management practices are in place. The web link below includes an interactive map of communities that have

taken this approach

<https://www.lincolnst.edu/publications/articles/2022-10-shifting-gears-eliminating-off-street-parking-requirements>.

Parking meter rates, paid permits, and time limitations would be used to manage available public parking spaces. With this option, City leaves it to the market to determine whether or not off-street parking is needed in order for a development to be viable.

B.2. Uses within a special area where payment is required for the use of public parking, in all or part of the special area, may pay a fee in lieu of providing the off-street parking required in this section. Such fee shall be in the amount established by Council resolution.

Staff: With this approach the City can use a one-time fee to offset a portion of the additional parking demand from a new development or redevelopment. It could be a fixed fee (Hood River example of \$3,000 per required space (Res. 2020-18 (attached)) or it could be a scaled fee to disincentivize development that places significant new demand on the limited number of available public parking spaces. Here is an example of what that could look like:

Additional Demand:

<i>Spaces 1 to 5</i>	<i>\$3,000 ea.</i>
<i>Spaces 5 to 10</i>	<i>\$5,000 ea.</i>
<i>Spaces 10 to 15</i>	<i>\$7,500 ea.</i>
<i>Spaces 15 to 20</i>	<i>\$10,000 ea.</i>
<i>Spaces 20+</i>	<i>\$15,000 ea.</i>

Example 1: Convert 1,400 sf of retail to restaurant (About the size of the retail building where Noble Estates offered wine tasting (146 SW Bay Blvd)

9.33 spaces (new restaurant) - 4.67 spaces (existing retail) = 4.66 (5 spaces). \$15,000 fee.

Example 2: 12,000 sq. ft. of waterfront industrial with 4,000 sq. ft. of warehouse space (at old California Shellfish site 411 SW Bay Blvd).

20 spaces (new industrial/warehouse). No existing use credits. \$127,500 fee. While significant, this cost is less than

what it would take to construct a lot of this size and could potentially be absorbed as part of the development costs.

Example 3: Construct 47 room hotel, 2,626 sf retail (Abbey Hotel project) on site previously occupied by a nightclub, restaurants, and retail. (836 - 856 SW Bay Blvd).

65 spaces (new hotel/retail use) - 49 spaces (credit for old use) = 16 spaces. Old use provided 20 off-street spaces, so impact of new project is 36 spaces. 43 parking spaces provided off-street. No fee.

Example 4: Same as Example 3, but assume no off-street parking. 36 space impact. \$367,500 fee. This cost, in addition to other development fees could be more than the project could bear.

B.3. Uses within a special area where payment is required for the use of public parking, in all or part of the special area, are not required to provide the off-street parking required in this section provided the parking demand does not exceed 25 spaces. Parking demand in excess of 25 spaces must be provided off-street. Parking ratios in subsection 14.14.030 or a parking demand analysis authorized under subsection 14.14.040 shall be used to determine the use(s) parking demand.

Staff: This option sets a hard limit on the demand a project can place on the limited supply of available public parking before off-street parking must be provided. The limit (highlighted in yellow) is an example that can be adjusted up or down, and should consider development/redevelopment opportunities that are likely to occur in the area. The justification for imposing a one-time fee is that available on-street supply is limited and the fee is needed to bolster meter/permit revenue to pay for the construction of additional public parking.

Here are a few examples of what a 25 spaces limit could allow, assuming the projects provide no off-street parking:

- 16,500 sq. ft. of new waterfront industrial (Roughly the size of Bornstein's operation at 813 SW Bay Blvd)*
- 3,000 sq. ft. of new restaurant space (about half the size of Local Ocean)*

- 7,500 sq. ft. of retail space.
- 4,200 sq. ft. retail, 1,500 sq. ft. of restaurant space, and 1,000 sq. ft. storage
- 20 Unit Hotel with 1,200 sq. ft. of specialty retail

Language like this could be paired with a payment in lieu option like the one described in Example B.2. At its May 17, 2023 meeting, the Parking Advisory Committee indicated that they prefer a blend of B.2 and B.3, and wonder whether or not the ratios could be adjusted to incentivize waterfront industrial.

C. Existing uses that provide off-street parking in order to comply with the provisions of this section, or prior parking ordinances, shall not be required to retain such parking if they are located within a special area where payment is required for the use of public parking, in all or part of the special area.

Staff: This language is needed to make it clear that the few businesses currently providing off-street parking in a meter or meter/permit area will no longer be bound to do so, meaning they can develop these properties. Accessible parking standards, electric vehicle parking requirements, and bicycle parking provisions key off of the number of off-street spaces provided. The City will need to consider accommodating those needs in public rights-of-way.

D. Uses within a special area shall be subject to a “Parking District Business License Annual Fee” in an amount set by Council resolution, unless the City requires payment for the use of public parking in all or part of the special area. The annual business license fee established under this subsection shall exempt new development or redevelopment from having to provide up to five (5) off-street parking spaces. Uses that generate a demand for more than five (5) off-street parking spaces shall provide the additional spaces in accordance with the provisions of this section.

Staff: This subsection is needed for the Nye Beach and City Center special areas, where metered and meter/permit zones are not being implemented. It codifies language that is currently in Council Resolution No. 3864 (attached), a resolution that would be repealed if this language is adopted.

Once this language is in place, the Bayfront will no longer be subject to a Parking District Business License Annual Fee.

14.14.110 Loading and Unloading Areas

Off-street loading and unloading areas shall be provided per this section.

- A. Whenever the normal operation of any use requires that goods, merchandise, or equipment be routinely delivered to or shipped from that use, a sufficient off-street loading and unloading area must be provided in accordance with this subsection to accommodate the delivery or shipment operations in a safe and convenient manner.
- B. The loading and unloading area must accommodate the numbers as set forth in Table A. At a minimum, a loading and unloading space must be 35 feet in length, 10 feet in width, and 14 feet in height. The following table indicates the number of spaces that, presumptively, satisfy the standard set forth in this subsection.

Table 14.14.110-A, Required Loading Spaces

Square footage of Building	Number of Loading Spaces
0-19,999	0
20,000 – 79,999	1
80,000 – 119,999	2
120,000+	3

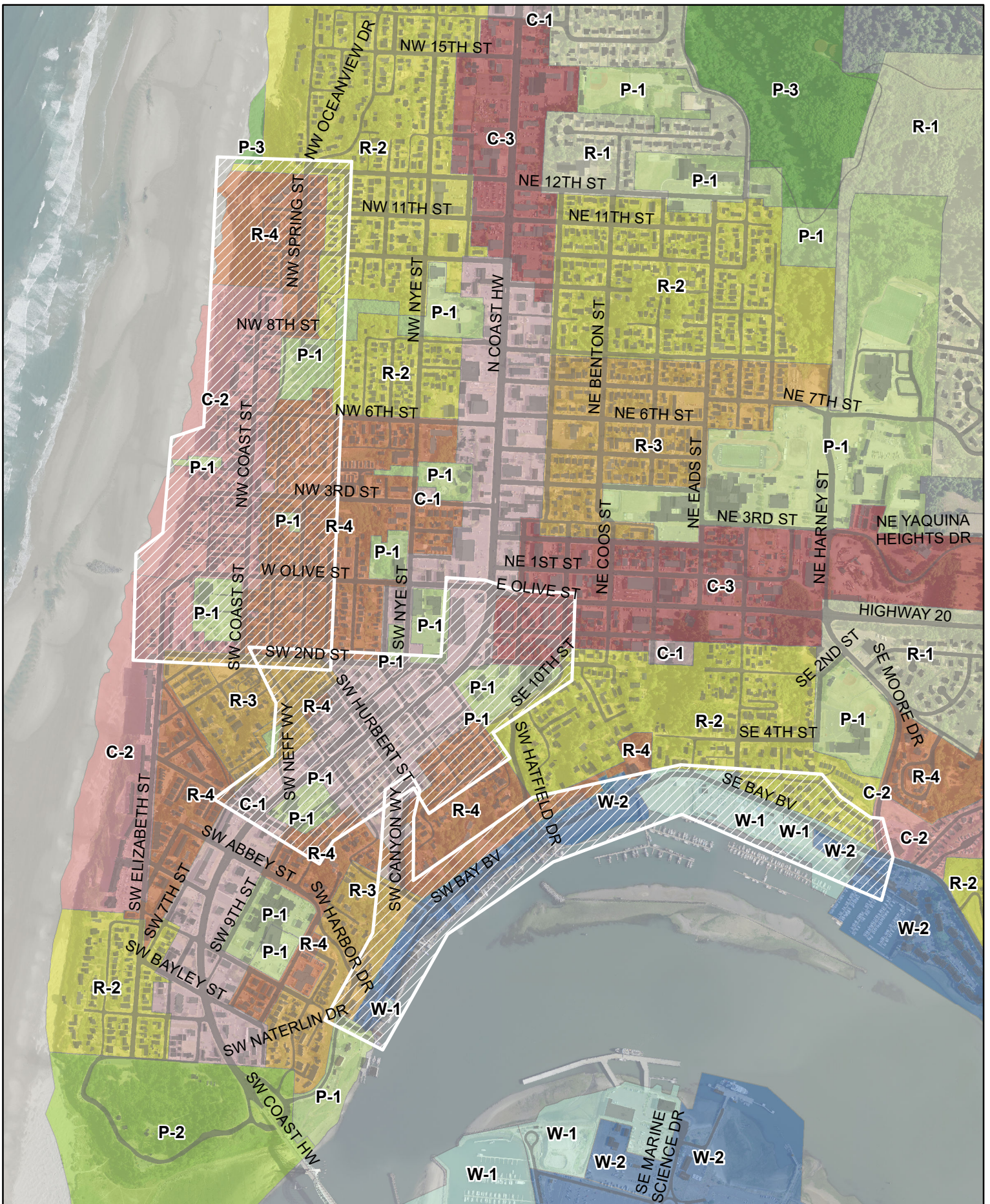
- C. Loading and unloading areas shall be located and designed so that vehicles intending to use them can maneuver safely and conveniently to and from a public right-of-way or any parking space or parking lot aisle. No space for loading shall be so located that a vehicle using such loading space projects into any public right-of-way.
- D. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.
- E. Whenever a change of use occurs after January 1, 1995, that does not involve any enlargement of a structure, and the loading area requirements of this section cannot be

satisfied because there is insufficient area available on the lot that can practicably be used for loading and unloading, then the Planning Commission may waive the requirements of this section.

- F. Whenever a loading and unloading facility is located adjacent to a residential zone, the loading and unloading facility shall be screened per unloading facility shall be screened per [Section 14.18](#).

14.14.120 Variances

Variances to this section may be approved in accordance with provisions of [Section 14.33](#), Adjustments and Variances, and a Type III Land Use Action decision process consistent with [Section 14.52](#), Procedural Requirements.*



City of Newport
Community Development Department
 169 SW Coast Highway
 Newport, OR 97365
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 Fax: 1.541.574.0644

Zoning Map with Bayfront, City Center, & Nye Beach Districts Shown With White Cross-Hatch (NMC 14.14.100)

This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.

Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR

0 500 1,000 2,000 Feet



Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



April 24, 2023

Work Session

- Update on FEMA Response to Endangered ESA Litigation
- Update on Bayfront Parking Management Solution

April 24, 2023

Regular Session

- Continued Hearing File 2-CUP-23, South Beach Church Conditional Use Permit
- Hearing File 3-CUP-23, Vintage Photo Studio at 602 SW Bay Blvd
- Final Order and Findings File 3-CUP-23, Vintage Photo Studio at 602 SW Bay Blvd

May 8, 2023

Work Session

- Review Draft Multi-Family/Commercial Trash Enclosure Standards
- Draft Amendments to Special Parking Area Regulation (Relates to Bayfront Pkg Management Plan)

May 8, 2023

Regular Session

- File 1-CP-21, Action on Recommended Housing Production Strategies
- Final Order and Findings File 2-CUP-23, South Beach Church Conditional Use Permit
- Initiate Legislative Amendments for Multi-Family/Commercial Trash Enclosure Standards

May 22, 2023

Work Session

- Review of Amendments to Special Parking Area Regulation (Relates to Bayfront Pkg Management Plan)
- Feedback from Thompson Sanitary on Draft Multi-Family/Commercial Trash Enclosure Standards

May 22, 2023

Regular Session (Cancelled)

June 12, 2023

Work Session

- Review Yaquina Bay Estuary Management Plan Outreach Briefing (Willamette Partnership/DLCD)
- Discuss Scope of Land Use Amendments to Facilitate Needed Housing (An HPS Recommendation)
- City Center Revitalization Project Update (Consultant to be under contract)

June 12, 2023

Regular Session

- Conditional Use Permit for Samaritan Drug and Alcohol Rehab Facility Offices at (5840 – 5842 NW Biggs)
- Public Hearing on Multi-Family/Commercial Trash Enclosure Standards
- Initiate Legislative Amendments to Special Parking Area Regulation (Relates to Bayfront Pkg Management Plan)

June 26, 2023

No Meeting

July 10, 2023

Work Session

- Review 2023 State of Oregon Legislative Changes (Land Use and Related Bills)
- Second Review of Amendments to Special Parking Area Regulation (Relates to Bayfront Pkg Management Plan)
- Status of South Beach Island Annexation Project

July 10, 2023

Regular Session

- Findings and Final Order - Conditional Use Permit for Samaritan Drug/Alcohol Rehab Facility Offices
- Public Hearing Amended Final Development Plan for OSU Student/Faculty Housing in Wilder
- Initiate Amendments to Special Parking Area Regulations